IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:12-CV-363-D

SHARRON MARIE GLOVER- ARMSTEAD, JR.,)	
Plaintiff,)	
v.)	ORDER
STATE OF NC DURHAM PD, et al.,))	
Defendants.)	

On March 21, 2013, Magistrate Judge Webb issued a Memorandum and Recommendation ("M&R") [D.E. 6]. In that M&R, Judge Webb recommended that plaintiff's application to proceed in forma pauperis be allowed, and that plaintiff's complaint be dismissed as frivolous. Neither party filed objections to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis and quotation omitted). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." <u>Id.</u> (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. The court adopts the M&R. Plaintiff's application to proceed in forma pauperis is GRANTED, and plaintiff's complaint is DISMISSED as frivolous. The Clerk of Court shall close the case.

SO ORDERED. This $\underline{17}$ day of April 2013.

JAMES C. DEVER III

Chief United States District Judge